

Melissa G. Ballard proposes the following substitute bill:

State Employee Maternity and Leave Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ariel Defay

Senate Sponsor:

LONG TITLE

General Description:

This bill modifies policies related to paid leave and maternity.

Highlighted Provisions:

This bill:

- increases the amount of postpartum recovery leave available to a state employee from three to nine weeks;

- requires certain state employers to:

- provide nine weeks of paid leave to a state employee who adopts a child younger than six years old; and

- provide three weeks of paid leave to a state employee who fosters a child younger than six year old;

- provides that paid leave for an adoption or foster placement described above runs consecutive to the three weeks of paid leave that is currently available to a state employee who adopts or fosters a child younger than 18 years old;

- requires the Department of Human Resource Management to make rules to administer the paid leave types described above;

- requires LEAs to develop leave policies that provide LEA employees with paid leave hours for postpartum recovery leave, adoption leave, or foster leave up to the paid leave amounts for state employees described above;

- amends the Breastfeeding Protection Act to include a woman's use of a breast pump; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **13-7a-102**, as enacted by Laws of Utah 2018, Chapter 130

32 **13-7a-103**, as enacted by Laws of Utah 2018, Chapter 130

33 **53G-11-209**, as last amended by Laws of Utah 2025, Chapter 426

34 **63A-17-511**, as last amended by Laws of Utah 2024, Chapter 396



36 *Be it enacted by the Legislature of the state of Utah:*

37 Section 1. Section **13-7a-102** is amended to read:

38 **13-7a-102 . Definitions.**

39 As used in this chapter:

40 (1)(a) "[Breastfeeding] Breastfeed" means the act of a woman breastfeeding a child.

41 [(2)] (b) "[Breastfeeding] Breastfeed" includes lactation.

42 (2) "Breast pump" means a mechanical device used by a woman to express and collect
43 milk from the woman's breasts.

44 Section 2. Section **13-7a-103** is amended to read:

45 **13-7a-103 . Breastfeeding location and conduct.**

46 A woman may breastfeed or use a breast pump in any place of public accommodation,
47 as defined in Section 13-7-2.

48 Section 3. Section **53G-11-209** is amended to read:

49 **53G-11-209 . Paid leave -- Parental leave -- Postpartum recovery leave --
50 Adoption leave -- Foster leave -- Leave sharing -- Rulemaking.**

51 (1) As used in this section:

52 (a) "Adoption leave" means paid leave hours an LEA provides to an adoption leave
53 eligible employee.

54 (b) "Adoption leave eligible employee" means an LEA employee who:

55 (i) accrues paid leave benefits in accordance with the LEA's leave policies; and

56 (ii) is legally adopting a young child, unless the employee is the spouse of the
57 pre-existing parent.

58 (c) "Child" means an individual younger than 18 years old.

59 (d) "Foster leave" means paid leave hours an LEA provides to a foster leave eligible
60 employee.

61 (e) "Foster leave eligible employee" means an LEA employee who:

62 (i) accrues paid leave benefits in accordance with the LEA's leave policies; and

- 63 (ii) is the foster parent of a young child.
- 64 [~~(a)~~] (f)(i) "Paid leave hours" means leave hours an LEA provides to an LEA
- 65 employee who accrues paid leave benefits in accordance with the LEA's leave
- 66 policies.
- 67 (ii) "Paid leave hours" includes annual, vacation, sick, paid time off, or any other type
- 68 of leave an employee may take while still receiving compensation.
- 69 (iii) "Paid leave hours" is not limited parental leave or postpartum recovery leave.
- 70 [~~(b)~~] (g) "Parental leave" means paid leave hours an LEA provides to a parental leave
- 71 eligible employee to bond with a child or, in the case of a guardianship appointment,
- 72 an incapacitated adult.
- 73 [~~(c)~~] (h) "Parental leave eligible employee" means an LEA employee who:
- 74 (i) accrues paid leave benefits in accordance with the LEA's leave policies; and [is:]
- 75 [~~(i)~~] (ii)(A) is a birth parent as defined in Section 81-13-101;
- 76 [~~(ii)~~] (B) [legally adopting a minor child, unless the individual] is legally adopting a
- 77 child, unless the employee is the spouse of the pre-existing parent;
- 78 [~~(iii)~~] (C) is the intended parent of a child born under a validated gestational
- 79 agreement in accordance with Title 81, Chapter 5, Part 8, Gestational
- 80 Agreement; [or]
- 81 [~~(iv)~~] (D) is appointed the legal guardian of a [minor-]child or incapacitated adult[-] ;
- 82 or
- 83 (E) is the foster parent of a child.
- 84 [~~(d)~~] (i) "Postpartum recovery leave" means [~~leave hours a state employer~~] paid leave
- 85 hours an LEA provides to a postpartum recovery leave eligible employee to recover
- 86 from childbirth.
- 87 [~~(e)~~] (j) "Postpartum recovery leave eligible employee" means an employee who:
- 88 (i) [~~who~~] accrues paid leave benefits in accordance with the LEA's leave policies; and
- 89 (ii) [~~who~~] gives birth to a child.
- 90 [~~(f)~~] (k) "Qualified employee" means:
- 91 (i) a parental leave eligible employee; [or]
- 92 (ii) a postpartum recovery leave eligible employee[-] ;
- 93 (iii) an adoption leave eligible employee; or
- 94 (iv) a foster leave eligible employee.
- 95 [~~(g)~~] (l) "Retaliatory action" means to do any of the following regarding an employee:
- 96 (i) dismiss the employee;

- 97 (ii) reduce the employee's compensation;
- 98 (iii) fail to increase the employee's compensation by an amount to which the
- 99 employee is otherwise entitled to or was promised;
- 100 (iv) fail to promote the employee if the employee would have otherwise been
- 101 promoted; or
- 102 (v) threaten to take an action described in Subsections ~~[(1)(g)(i)]~~ (1)(1)(i) through (iv).
- 103 (m) "Young child" means an individual younger than six years old.
- 104 (2) Beginning July 1, ~~[2025]~~ 2026, an LEA:
- 105 (a) shall develop leave policies that provide for the use and administration of ~~[parental~~
- 106 ~~leave and postpartum recovery leave]~~ parental leave, postpartum recovery leave,
- 107 adoption leave, and foster leave by a qualified employee under this section in a
- 108 manner that is not more restrictive than the ~~[parental and postpartum recovery]~~
- 109 parental leave, postpartum recovery leave, adoption leave, and foster leave available
- 110 to state employees under Section 63A-17-511;
- 111 (b) may develop leave policies that provide a mechanism for leave sharing between
- 112 employees of the same LEA or school for all types of leave, including~~;~~ sick leave,
- 113 annual leave, parental leave, ~~[and postpartum recovery leave]~~ postpartum recovery
- 114 leave, adoption leave, and foster leave;
- 115 (c) shall allow a ~~[parental leave eligible employee and a postpartum recovery leave~~
- 116 ~~eligible]~~ qualified employee who is part-time or who works in excess of a 40-hour
- 117 work week or the equivalent of a 40-hour work week to use the amount of [
- 118 ~~postpartum recovery leave available]~~ paid leave hours available to the qualified
- 119 employee under this section on a pro rata basis; and
- 120 (d) shall provide each LEA employee written information regarding:
- 121 (i) a qualified employee's right to use ~~[parental leave or postpartum recovery]~~ parental
- 122 leave, postpartum recovery leave, adoption leave, and foster leave under this
- 123 section; and
- 124 (ii) the availability of and process for using or contributing to the leave sharing
- 125 mechanism described in Subsection (2)(b).
- 126 (3) An LEA may not take retaliatory action against a qualified employee for using parental
- 127 ~~leave[or postpartum recovery leave]~~ , postpartum recovery leave, adoption leave, or
- 128 foster leave in accordance with this section.
- 129 (4) An LEA may not charge parental leave~~[or postpartum recovery leave]~~ , postpartum
- 130 recovery leave, adoption leave, or foster leave against paid leave hours to which a

- 131 qualified employee is entitled as described in Subsection (6).
 132 (5) An LEA or school may use leave bank sharing and other efforts to mitigate incurred
 133 costs of compliance with this section including coordinating with other LEAs or schools
 134 to share approaches or policies designed to fulfill the requirements of this section in a
 135 cost effective manner.
 136 (6) An LEA may provide leave that exceeds the benefits of the state leave policies
 137 described in this section.

138 Section 4. Section **63A-17-511** is amended to read:

139 **63A-17-511 . Parental leave -- Postpartum recovery leave -- Adoption leave --**
 140 **Foster leave.**

- 141 (1) As used in this section:
 142 (a) "Adoption leave" means leave hours a state employer provides to an adoption leave
 143 eligible employee.
 144 (b) "Adoption leave eligible employee" means an employee of a state employer who:
 145 (i) is in a position that receives retirement benefits under Title 49, Utah State
 146 Retirement and Insurance Benefit Act;
 147 (ii) accrues paid leave benefits that can be used in the current and future calendar
 148 years;
 149 (iii) is not reemployed as defined in Section 49-11-1202; and
 150 (iv) is legally adopting a young child, unless the employee is the spouse of the
 151 pre-existing parent.
 152 (c) "Child" means an individual who is younger than 18 years old.
 153 (d) "Foster leave" means leave hours a state employer provides to a foster leave eligible
 154 employee.
 155 (e) "Foster leave eligible employee" means an employee of a state employer who:
 156 (i) is in a position that receives retirement benefits under Title 49, Utah State
 157 Retirement and Insurance Benefit Act;
 158 (ii) accrues paid leave benefits that can be used in the current and future calendar
 159 years;
 160 (iii) is not reemployed as defined in Section 49-11-1202; and
 161 (iv) is the foster parent of a young child.
 162 [(b)] (f) "Parental leave" means leave hours a state employer provides to a parental leave
 163 eligible employee to bond with a child or, in the case of a guardianship appointment,
 164 an incapacitated adult.

165 ~~[(e)]~~ (g) "Parental leave eligible employee" means an employee of a state employer who,
 166 on the date an event described in Subsections (2)(a)(i)(A) through (D) occurs:

167 ~~[(i) is an employee of a state employer;]~~

168 ~~[(ii)]~~ (i) is in a position that receives retirement benefits under Title 49, Utah State
 169 Retirement and Insurance Benefit Act;

170 ~~[(iii)]~~ (ii) accrues paid leave benefits that can be used in the current and future
 171 calendar years;

172 ~~[(iv)]~~ (iii) is not reemployed as defined in Section 49-11-1202;

173 ~~[(v)]~~ (iv) is assuming a parental role with respect to ~~[the child or the]~~ a child or an
 174 incapacitated adult for which parental leave is requested; and

175 ~~[(vi)]~~ (v)(A) is the child's biological parent;

176 (B) is the spouse of the person who gave birth to the child;

177 (C) is ~~[the adoptive parent of]~~ legally adopting the child, unless the employee is the
 178 spouse of the pre-existing parent;

179 (D) is the intended parent of the child and the child is born under a validated
 180 gestational agreement in accordance with ~~[Title 78B, Chapter 15]~~ Title 81,
 181 Chapter 5, Part 8, Gestational Agreement;

182 (E) is appointed the legal guardian of the child or the incapacitated adult; or

183 (F) is the foster parent of the child.

184 ~~[(d)]~~ (h) "Postpartum recovery leave" means leave hours a state employer provides to a
 185 postpartum recovery leave eligible employee to recover from childbirth that occurs at
 186 20 weeks or greater gestation.

187 (i) "Postpartum recovery leave eligible employee" means an employee of a state
 188 employer who:

189 (i) is in a position that receives retirement benefits under Title 49, Utah State
 190 Retirement and Insurance Benefit Act;

191 (ii) accrues paid leave benefits that can be used in the current and future calendar
 192 years;

193 (iii) is not reemployed as defined in Section 49-11-1202; and

194 (iv) gives birth to a child.

195 (j) "Qualified employee" means:

196 (i) a parental leave eligible employee;

197 (ii) a postpartum leave eligible employee;

198 (iii) an adoption leave eligible employee; or

199 (iv) a foster leave eligible employee.

200 (k) "Qualified leave" means:

201 (i) parental leave;

202 (ii) postpartum recovery leave;

203 (iii) adoption leave; or

204 (iv) foster leave.

205 ~~(e)~~ (l) "Retaliatory action" means to do any of the following to an employee:

206 (i) dismiss the employee;

207 (ii) reduce the employee's compensation;

208 (iii) fail to increase the employee's compensation by an amount that the employee is
 209 otherwise entitled to or was promised;

210 (iv) fail to promote the employee if the employee would have otherwise been
 211 promoted; or

212 (v) threaten to take an action described in Subsections ~~[(1)(e)(i)] (1)(l)(i)~~ through (iv).

213 ~~(f) "Postpartum recovery leave eligible employee" means an employee who:]~~

214 ~~[(i) is in a position that receives retirement benefits under Title 49, Utah State~~
 215 ~~Retirement and Insurance Benefit Act;]~~

216 ~~[(ii) accrues paid leave benefits that can be used in the current and future calendar~~
 217 ~~years;]~~

218 ~~[(iii) is not reemployed as defined in Section 49-11-1202; and]~~

219 ~~[(iv) gives birth to a child.]~~

220 ~~(g)~~ (m)(i) "State employer" means:

221 (A) a state executive branch agency, including the State Tax Commission, the
 222 National Guard, and the Board of Pardons and Parole;

223 (B) the legislative branch of the state; or

224 (C) the judicial branch of the state.

225 (ii) "State employer" does not include:

226 (A) an institute of higher education;

227 (B) the Utah Board of Higher Education;

228 (C) an independent entity as defined in Section 63E-1-102;

229 (D) the ~~[Attorney General's Office]~~ Office of the Attorney General;

230 (E) the ~~[State Auditor's Office]~~ Office of the State Auditor; or

231 (F) the ~~[State Treasurer's Office]~~ Office of the State Treasurer.

232 ~~(h) "Qualified employee" means:]~~

- 233 ~~[(i) a parental leave eligible employee; or]~~
 234 ~~[(ii) a postpartum leave eligible employee.]~~
 235 (n) "Young child" means an individual who is younger than six years old.
 236 (2)(a) Except as provided in Subsections ~~[(4) and (5)]~~ (3), (4), (5), and (6), a state
 237 employer shall:
- 238 (i) allow a parental leave eligible employee to use up to three work weeks of paid
 239 parental leave for:
 - 240 (A) the birth of the parental leave eligible employee's child;
 - 241 (B) the adoption of a child;
 - 242 (C) the appointment of legal guardianship of a child or incapacitated adult; or
 - 243 (D) the foster placement of a ~~[foster]~~ child in the parental leave eligible
 244 employee's care; ~~[and]~~
 - 245 (ii) allow a postpartum recovery leave eligible employee to use up to ~~[three]~~ nine
 246 work weeks of paid postpartum recovery leave for recovery from childbirth~~[-]~~ ;
 - 247 (iii) allow an adoption leave eligible employee to use up to nine work weeks of paid
 248 adoption leave for the adoption of a young child; and
 - 249 (iv) allow a foster leave eligible employee to use up to three work weeks of paid
 250 foster leave for the foster placement of a young child in the foster leave eligible
 251 employee's care.
- 252 (b) A state employer shall allow a qualified employee who is part-time or who works in
 253 excess of a 40-hour work week or its equivalent to use the amount of ~~[parental leave~~
 254 ~~or postpartum recovery leave-]~~ qualified leave that is available to the qualified
 255 employee under this section on a pro rata basis as adopted by rule by the division
 256 under Subsection ~~[(12)]~~ (14).
- 257 (3)(a) Parental leave described in Subsection (2)(a)(i):
- 258 (i) may not be used before the day on which:
 - 259 (A) the parental leave eligible employee's child is born;
 - 260 (B) the parental leave eligible employee adopts a child;
 - 261 (C) the parental leave eligible employee is appointed legal guardian of a child or
 262 incapacitated adult; or
 - 263 (D) ~~[a foster child is placed in the parental leave eligible employee's care.]~~ a child
 264 is placed in foster care with the parental leave eligible employee;
 - 265 (ii) may not be used more than six months after the date described in Subsection
 266 (3)(a)(i);

- 267 (iii) may not be used intermittently, unless:
- 268 (A) by mutual written agreement between the state employer and the parental
- 269 leave eligible employee; or
- 270 (B) a health care provider certifies that intermittent leave is medically necessary
- 271 due to a serious health condition of the child;
- 272 (iv) runs concurrently with any leave authorized under the Family and Medical Leave
- 273 Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
- 274 (v) runs consecutively to postpartum recovery leave.
- 275 (b) The amount of parental leave authorized under Subsection (2)(a)(i) does not increase
- 276 if a parental leave eligible employee:
- 277 (i) has more than one child born from the same pregnancy;
- 278 (ii) adopts more than one child;
- 279 (iii) has more than one ~~[foster child placed in the parental leave eligible employee's~~
- 280 ~~care]~~ child placed in foster care with the parental leave eligible employee; or
- 281 (iv) is appointed legal guardian of more than one child or incapacitated adult.
- 282 (c) A parental leave eligible employee may not use more than three work weeks of paid
- 283 parental leave within a single 12-month period, regardless of whether during that
- 284 12-month period the parental leave eligible employee:
- 285 (i) becomes the parent of more than one child;
- 286 (ii) adopts more than one child;
- 287 (iii) has more than one ~~[foster child placed in the parental leave eligible employee's~~
- 288 ~~care]~~ child placed in foster care with the parental leave eligible employee; or
- 289 (iv) is appointed legal guardian of more than one child or incapacitated adult.
- 290 (4)(a) Postpartum recovery leave described in Subsection (2)(a)(ii):
- 291 (i) shall be used starting on the day on which the postpartum recovery leave eligible
- 292 employee gives birth, unless a health care provider certifies that an earlier start
- 293 date is medically necessary;
- 294 (ii) shall be used in a single continuous period, unless otherwise authorized in writing
- 295 by the director of the division;
- 296 (iii) runs concurrently with any leave authorized under the Family and Medical Leave
- 297 Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
- 298 (iv) runs consecutively to parental leave.
- 299 (b) The amount of postpartum recovery leave authorized under Subsection (2)(a)(ii)
- 300 does not increase if a postpartum recovery leave eligible employee has more than one

- 301 child born from the same pregnancy.
- 302 (5)(a) Adoption leave described in Subsection (2)(a)(iii):
- 303 (i) may not be used before the day on which the adoption leave eligible employee
- 304 adopts a young child;
- 305 (ii) may not be used more than six months after the date described in Subsection
- 306 (5)(a)(i);
- 307 (iii) may not be used intermittently, unless:
- 308 (A) by mutual written agreement between the state employer and the adoption
- 309 leave eligible employee; or
- 310 (B) a health care provider certifies that intermittent leave is medically necessary
- 311 due to a serious health condition of the young child;
- 312 (iv) runs concurrently with any leave authorized under the Family and Medical Leave
- 313 Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
- 314 (v) runs consecutively to parental leave.
- 315 (b) The amount of adoption leave authorized under Subsection (2)(a)(iii) does not
- 316 increase if an adoption leave eligible employee adopts more than one young child.
- 317 (c) An adoption leave eligible employee may not use more than nine work weeks of paid
- 318 adoption leave within a single 12-month period, regardless of whether during that
- 319 12-month period the adoption leave eligible employee adopts more than one young
- 320 child.
- 321 (d)(i) If two adoption leave eligible employees jointly adopt a young child, only one
- 322 of the employees may use adoption leave under this section.
- 323 (ii) The adoption leave eligible employees described in Subsection (5)(d)(i) shall
- 324 notify the state employer which employee will take adoption leave under this
- 325 section no later than the deadline described in Subsection (7)(a)(i).
- 326 (6)(a) Foster leave described in Subsection (2)(a)(iv):
- 327 (i) may not be used before the day on which a young child is placed in foster care
- 328 with a foster leave eligible employee;
- 329 (ii) may not be used more than six months after the date described in Subsection
- 330 (6)(a)(i);
- 331 (iii) may not be used intermittently, unless:
- 332 (A) by mutual written agreement between the state employer and the foster leave
- 333 eligible employee; or
- 334 (B) a health care provider certifies that intermittent leave is medically necessary

- 335 due to a serious health condition of the young child;
- 336 (iv) runs concurrently with any leave authorized under the Family and Medical Leave
- 337 Act of 1993, 29 U.S.C. Sec. 2601 et seq.; and
- 338 (v) runs consecutively to parental leave.
- 339 (b) The amount of foster leave authorized under Subsection (2)(a)(iv) does not increase
- 340 if a foster leave eligible employee has more than one young child placed in foster
- 341 care with the foster leave eligible employee.
- 342 (c) A foster leave eligible employee may not use more than three work weeks of paid
- 343 foster leave within a single 12-month period, regardless of whether during that
- 344 12-month period more than one young child is placed in foster care with the foster
- 345 leave eligible employee.
- 346 (d)(i) If a young child is placed in foster care with two foster leave eligible
- 347 employees, only one of the employees may use foster leave under this section.
- 348 (ii) The foster leave eligible employees described in Subsection (6)(d)(i) shall notify
- 349 the state employer which employee will take foster leave under this section no
- 350 later than the deadline described in Subsection (7)(a)(i).
- 351 ~~[(5)]~~ (7)(a) Except as provided in Subsection ~~[(5)(b)]~~ (7)(b), a qualified employee shall
- 352 give the state employer notice at least 30 days before the day on which the qualified
- 353 employee plans to:
- 354 (i) begin using ~~[parental leave or postpartum recovery leave]~~ qualified leave under
- 355 this section; and
- 356 (ii) stop using ~~[postpartum recovery leave]~~ qualified leave under this section.
- 357 (b) If circumstances beyond the qualified employee's control prevent the qualified
- 358 employee from giving notice in accordance with Subsection ~~[(5)(a)]~~ (7)(a), the
- 359 qualified employee shall give each notice described in Subsection ~~[(5)(a)]~~ (7)(a) as
- 360 soon as reasonably practicable.
- 361 ~~[(6)]~~ (8) Except as provided in Subsections (3)(a)(iv)~~[-and-]~~ , (4)(a)(iii), (5)(a)(iv), and
- 362 (6)(a)(iv), a state employer may not charge ~~[parental leave or postpartum recovery leave-]~~
- 363 qualified leave under this section against sick, annual, compensatory, excess, or other
- 364 leave a qualified employee is entitled to.
- 365 ~~[(7)]~~ (9) A state employer may not compensate a qualified employee for any unused [~~parental leave or postpartum recovery leave]~~ qualified leave upon termination of
- 366 employment.
- 367
- 368 ~~[(8)]~~ (10)(a) Following the expiration of a qualified employee's ~~[parental leave or~~

369 ~~postpartum recovery~~] qualified leave under this section, the state employer shall
 370 ensure that the qualified employee may return to:

- 371 (i) the position that the qualified employee held before using [~~parental leave or~~
 372 ~~postpartum recovery~~] qualified leave; or
 373 (ii) a position within the state employer that is equivalent in seniority, status, benefits,
 374 and pay to the position that the qualified employee held before using [~~parental~~
 375 ~~leave or postpartum recovery~~] qualified leave.

376 (b) If during the time a qualified employee uses [~~parental leave or postpartum recovery~~]
 377 qualified leave under this section the state employer experiences a reduction in force
 378 and, as part of the reduction in force, the qualified employee would have been
 379 separated had the qualified employee not been using the [~~parental leave or~~
 380 ~~postpartum recovery~~] qualified leave, the state employer may separate the qualified
 381 employee in accordance with any applicable process or procedure as if the qualified
 382 employee were not using the [~~parental leave or postpartum recovery~~] qualified leave.

383 [(9)] (11) During the time a qualified employee uses [~~parental leave or postpartum recovery~~]
 384 qualified leave under this section, the qualified employee shall continue to receive all
 385 employment related benefits and payments at the same level that the qualified employee
 386 received immediately before beginning the [~~parental leave or postpartum~~] qualified
 387 leave, provided that the qualified employee pays any required employee contributions.

388 [(10)] (12) A state employer may not:

- 389 (a) interfere with or otherwise restrain a qualified employee from using [~~parental leave~~
 390 ~~or postpartum recovery~~] qualified leave in accordance with this section; or
 391 (b) take retaliatory action against a qualified employee for using [~~parental leave or~~
 392 ~~postpartum recovery~~] qualified leave in accordance with this section.

393 [(11)] (13) A state employer shall provide each employee written information regarding a
 394 qualified employee's right to use [~~parental leave or postpartum recovery~~] qualified leave
 395 under this section.

396 [(12)] (14) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 397 the division shall[;] :

- 398 (a) [~~on or before July 1, 2022,~~] make rules for the use and administration of parental
 399 leave and postpartum recovery leave under this section, including a schedule that
 400 provides paid parental leave or postpartum recovery leave for a qualified employee
 401 who is part-time or who works in excess of a 40-hour work week on a pro rata basis[;] ;
 402 and

403 (b) on or before July 1, 2026, make rules for the use and administration of adoption
404 leave and foster leave under this section, including a schedule that provides paid
405 adoption leave or foster leave for a qualified employee who is part-time or who
406 works in excess of a 40-hour work week on a pro rata basis.

407 Section 5. **Effective Date.**

408 This bill takes effect on July 1, 2026.